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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 TRUE BLUE, INC., a Washington  
10 corporation,

11 Plaintiff,

12 v.

13 TIMOTHY P. DYN,

14 Defendant.

CASE NO. C09-5328BHS

ORDER GRANTING  
PLAINTIFF'S MOTION FOR A  
TEMPORARY RESTRAINING  
ORDER

15 This matter comes before the Court on Plaintiff's Motion for a Temporary  
16 Restraining Order (Dkt. 4). The Court has considered the pleadings filed in support of the  
17 motion and the remainder of the file and hereby grants the motion for the reasons stated  
18 herein.

19 Plaintiff, in the Declarations of Joanna S. Monroe (Dkt. 5) and Jessica Rosner  
20 (Dkt. 6), has submitted sufficient specific facts to clearly show that immediate and  
21 irreparable injury, loss, or damage will result if Defendant is not temporarily restrained  
22 from operating a competing, temporary staffing agency before Defendant can be heard in  
23 opposition. Moreover, Plaintiff's attorney, David R. Brutt, claims that he served  
24 Defendant's attorney with the summons, complaint, and materials regarding this motion  
25 for a temporary restraining order. Dkt. 7, Declaration of David R. Brutt, ¶ 4.

26 In its motion, Plaintiff requests that the Court grant expedited discovery and set a  
27 preliminary injunction hearing. Dkt. 4 at 18. First, Plaintiff has failed to show that, at  
28

1 this time, expedited discovery is warranted. Second, Plaintiff has not filed a motion for a  
2 preliminary injunction and, therefore, the Court will not set a hearing.

3 Therefore, it is hereby **ORDERED** that:

4 1. Defendant is enjoined from

5 (a) Engaging in, working for, providing services to, owning,  
6 managing, operating, controlling, or otherwise engaging or participating in,  
7 or being connected as an owner, partner, principal, creditor, salesman,  
8 guarantor, advisor, member of the board of directors of, employee of,  
9 independent contractor of, or consultant to, any Conflicting Organization,  
10 which is defined as any person, entity, or organization engaged (or about to  
11 become engaged) in a business similar to, or that competes with, the  
12 business of TrueBlue, including without limitation any person or  
13 organization that provides any product, process, or service that is similar to  
14 or competes with any product, process, or service provided by TrueBlue.  
15 The term "Conflicting Organization" specifically includes StaffEx, Inc. or  
16 StaffEx ("StaffEx"), as well as any person, entity, or organization that  
17 provides temporary and/or permanent staffing services in connection with  
18 manual and/or skilled laborers, including without limitation laborers for  
19 jobs in construction, manufacturing, hospitality services, landscaping,  
20 warehousing, agriculture, waste and recycling, transportation, event  
21 logistics, and retail;

22 (b) Employing or continuing to employ Jennifer Rodriguez;

23 (c) Employing, soliciting for employment, or otherwise seeking  
24 to employ, retain, divert, or take away any TrueBlue employee with whom  
25 Defendant worked or whom Defendant supervised or about whom  
26 Defendant obtained information during Defendant's employment with  
27 TrueBlue, or in any way assisting or facilitating any such employment,  
28 solicitation, or retention effort;

(d) Engaging in any conduct intended or reasonably calculated to  
induce or urge any TrueBlue employee to discontinue, in whole or in part,  
his/her employment relationship with TrueBlue;

(e) Initiating any contact with any individual who (i) has applied  
for and/or accepted placement in a job by TrueBlue with any individual,  
business, or other entity whose account Defendant supervised directly or  
indirectly or to whom Defendant provided services on behalf of TrueBlue at  
anytime between October 15, 2006 and October 14, 2008 and (ii) about  
whom Defendant obtained information or with whom Defendant interacted  
on behalf of TrueBlue ("Candidate") for the purpose of employing,  
soliciting or employment, or otherwise seeking to employ or retain any  
Candidate;

(f) Soliciting any individual, business, or other entity whose  
account Defendant supervised directly or indirectly or to whom Defendant  
provided services on behalf of TrueBlue at anytime between October 15,  
2006 and October 14, 2008 ("Client") for the purposes of providing  
temporary and/or permanent staffing services, including without limitation

1 that Defendant be enjoined from initiating any contact or communication  
2 with any Client for the purpose of soliciting, inviting, encouraging,  
3 recommending, or requesting any Client to do business with a Conflicting  
4 Organization in connection with the provision of temporary and/or  
5 permanent staffing services;


6 (g) Accepting or doing business with Greater Tampa Bay Auto  
7 Auction or any other Client in connection with the provision of temporary  
8 and/or permanent staffing services; and

9 (h) Engaging in any conduct intended or reasonably calculated to  
10 induce or urge any Client to discontinue, in whole or in part, its patronage  
11 or business relationship with TrueBlue.

12 2. Plaintiff shall post a bond in the amount of \$35,000 with the Clerk of the  
13 Court no later than June 12, 2009.

14 This order shall expire on June 25, 2009, or as otherwise ordered by the Court.

15 DATED this 11th day of June, 2009.

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BENJAMIN H. SETTLE  
United States District Judge